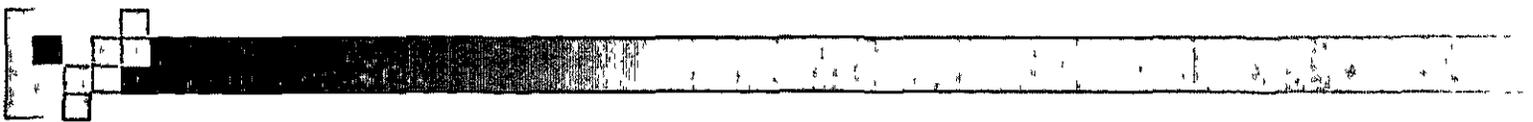


El Dorado Meat Market

Alcoholic Beverage Waiver Request

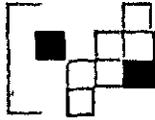


Item #123 PH



Applicant Request

- The owner of El Dorado Meat Market proposes to sell alcoholic beverages at 5001 Airport Blvd, within 210 feet of Ridgetop Elementary School.
- The owner requests a waiver from Section 4-9-4(A) which prohibits the sale of alcohol within 300 feet of a church, public school, or public hospital.



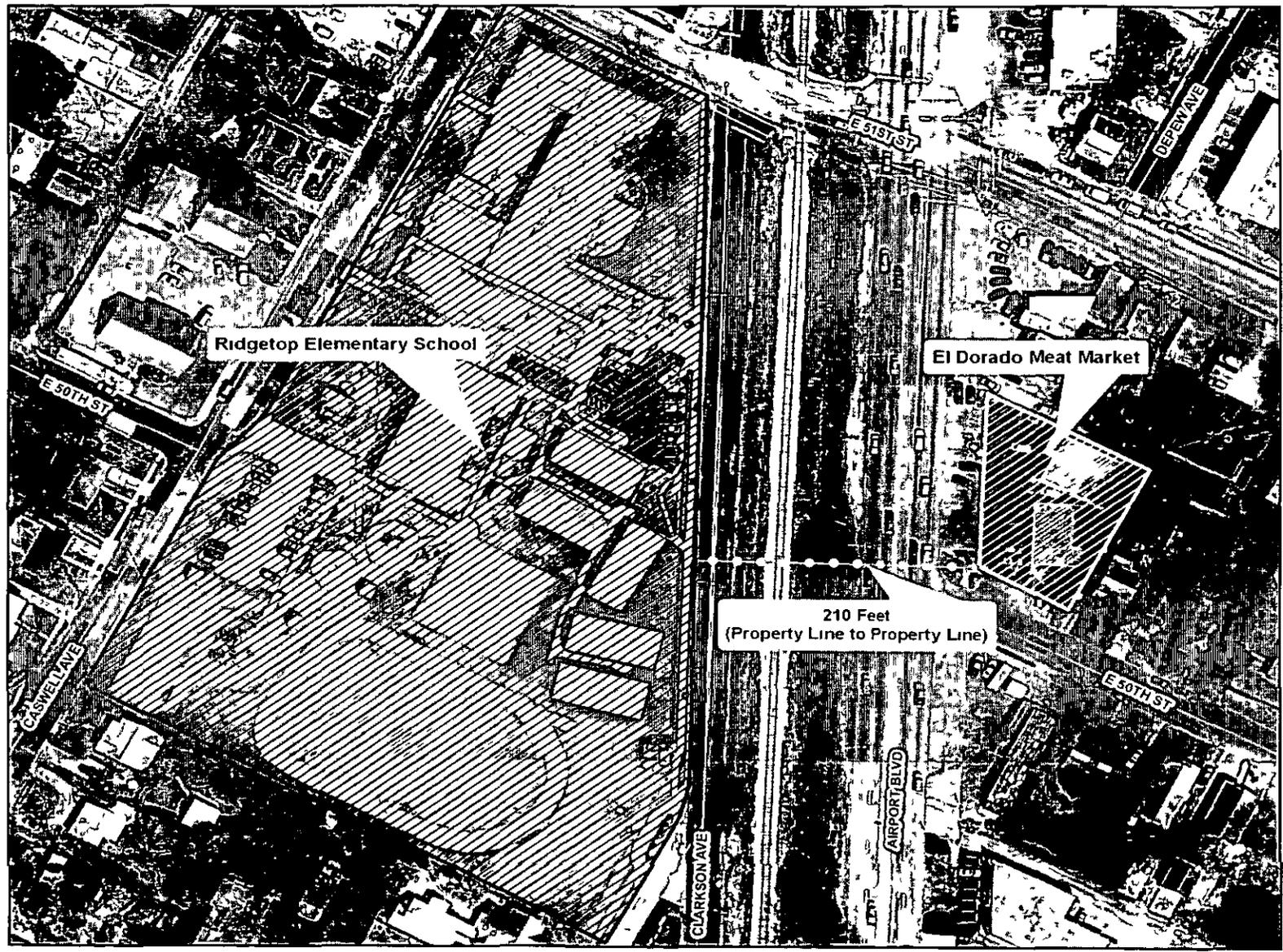
Background

- 5001 Airport Blvd Property History
 - Previously owned by Lisa Chehadi
 - Property named Austin Meat Market
 - Council granted a waiver to the 300 ft distance requirement on October 11, 2001
 - Waiver expired upon the sale/transfer of the business to Yves Macias, the new owner



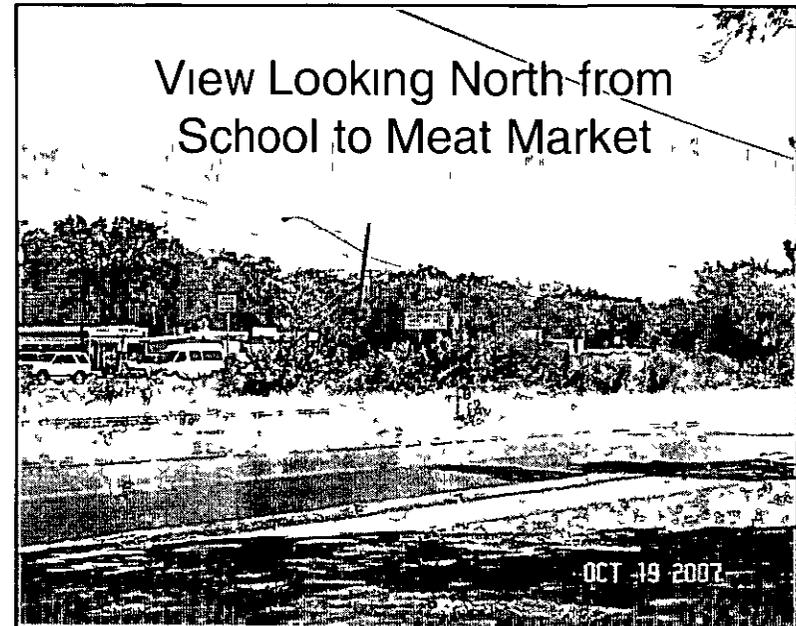
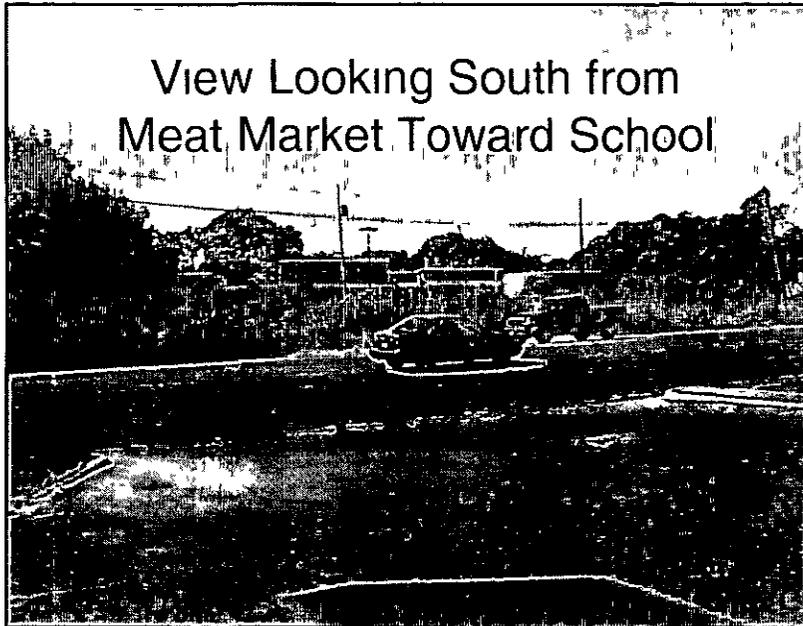
Site Location

(210' Distance Measurement Shown, Property Line to Property Line)



Site Photos

View of El Dorado Meat Market and Ridgetop Elementary



Pictures are taken from respective property lines



Council Authority § 4-9-5(A)

City Council may consider waiving the 300 ft distance requirement if it is determined that the enforcement in a particular instance:

- 1) is not in the best interest of the public;
- 2) constitutes waste or inefficient use of land or other resources;
- 3) creates undue hardship on the applicant;
- 4) does not serve its intended purpose;
- 5) is not effective or necessary; or
- 6) for any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.



Council Authority §4-9-5(B)

- City Council may consider the written consent to a waiver from a public school located within 300 feet from the applicant's proposed place of business to be sufficient justification for waiver approval.
- Austin Independent School District (AISD) submitted a letter opposing the waiver request.



Staff Recommendation

Staff recommends
denial of the waiver request
given AISD's written opposition.